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8 Attorneys for Plaintiff
CHURCH OF SCIENTOLOGY
9 INTERNATIONAL

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF MARIN
12

13 CHURCH OF SCIENTOLOGY) CASE NO. 157 680
INTERNATIONAL, a California not-)
14 for-profit religious corporation,) [CONSOLIDATED]
15)
16 Plaintiff,) CHURCH OF SCIENTOLOGY
INTERNATIONAL'S NOTICE OF
17) MOTION AND MOTION FOR
vs.) TERMINATING OR EVIDENTIARY
18) SANCTIONS AGAINST DEFENDANT
GERALD ARMSTRONG
19) [C.C.P. §2023(b)(3), (4)]
GERALD ARMSTRONG, et al.,)
20) DATE: April 28, 1995
21) TIME: 9:00 a.m.
Defendants.) DEPT: 1
22) TRIAL DATE: May 18, 1995

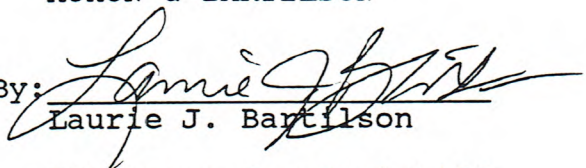
23 PLEASE TAKE NOTICE that on April 28, 1995, at 9:00 a.m., or
24 as soon thereafter as may be heard in Department 1 of the above-
25 entitled Court located at the Hall of Justice, 3501 Civic Center
26 Dr., San Rafael, California 94908-4177, plaintiff Church of
27 Scientology International ("the Church") will move this Court to
28 issue an order sanctioning defendant Gerald Armstrong by: (1)

1 granting default judgment against defendant Gerald Armstrong and
2 in favor of the Church, pursuant to California Code of Civil
3 Procedure Section 2023(b)(4)(D) or, in the alternative, (2)
4 entering an order that Armstrong may not testify on behalf of any
5 of the defendants at the trial of this matter, pursuant to
6 California Code of Civil Procedure Section 2023(b)(3). This
7 Motion is made on the grounds that Armstrong has engaged in a
8 pattern of obstruction of discovery and delay, destroying the
9 resources of this Court, preventing the trial of this action, and
10 preventing the Church from obtaining necessary and lawful
11 discovery.

12 This Motion is based on this Notice of Motion and Motion,
13 the pleadings, records and files herein, the accompanying
14 Memorandum of Points and Authorities, the declarations and
15 exhibits filed herewith, and such other evidence as may be
16 adduced properly at the hearing of this Motion.

17 Dated: March 28, 1995

Respectfully submitted,
Andrew H. Wilson
WILSON, RYAN & CAMPILONGO
MOXON & BARTILSON

21 By: 
Laurie J. Bartilson

22 Attorneys for Plaintiff
23 CHURCH OF SCIENTOLOGY
24 INTERNATIONAL

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of California, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 6255 Sunset Boulevard, Suite 2000, Hollywood, CA 90028.

On March 28, 1995, I served the foregoing document described as CHURCH OF SCIENTOLOGY INTERNATIONAL'S NOTICE OF MOTION AND MOTION FOR TERMINATING OR EVIDENTIARY SANCTIONS AGAINST DEFENDANT GERALD ARMSTRONG on interested parties in this action,

[] by placing the true copies thereof in sealed envelopes as stated on the attached mailing list;

[X] by placing [] the original [X] true copies thereof in sealed envelopes addressed as follows:

GERALD ARMSTRONG
715 Sir Francis Drake Blvd.
San Anselmo, CA 94960-1949

MICHAEL WALTON
700 Larkspur Landing Circle
Suite 120
Larkspur, CA 94939

[X] BY MAIL

[] *I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

[X] As follows: I am "readily familiar"

[X] As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more

than one day after date of deposit for mailing an affidavit.

Executed on March 28, 1995 at Los Angeles, California.

[] **** (BY PERSONAL SERVICE)** I delivered such envelopes by hand to the offices of the addressees.

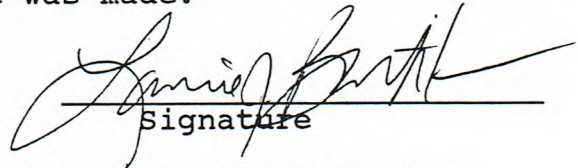
Executed on _____, at Los Angeles, California.

[X] (State) I declare under penalty of the laws of the State of California that the above is true and correct.

[] (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Laurie J. Bartilson

Print or Type Name


Signature

* (By Mail, signature must be of person depositing envelope in mail slot, box or bag)

** (For personal service signature must be that of messenger)